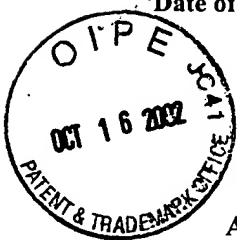


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Rothberg *et al.*

SERIAL NUMBER: 09/717,321

EXAMINER: Bronwen Loeb

FILING DATE: November 20, 2000

ART UNIT: 1636

FOR: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination of the above-identified application, please amend the application as set forth below and consider the following remarks:

In the Claims:

Please cancel claims 1-47, 52, and 53, without prejudice or disclaimer, as being drawn to nonelected subject matter.

Replace the pending claims with the following:

- Sub B1
48. (Amended) An isolated nucleic acid comprising a nucleic acid sequence selected from the group consisting of a RISKMARKER 1 nucleic acid, and their complements.
- A1
49. A vector comprising the nucleic acid of claim 48.
50. A cell comprising the vector of claim 49.
- Sub B1
51. A pharmaceutical composition comprising the nucleic acid of claim 48.
- AB1
54. (Amended) A kit which detects two or more of the nucleic acid sequences selected from the group consisting of RISKMARKER 1.
55. (Amended) An array which detects one or more of the nucleic acid sequences selected from the group consisting of RISKMARKER 1.